

JOHN SPELLMAN
Governor



DONALD W. MOOS
Director

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504 • (206) 753-2800

SEP 14 1981

CERTIFIED MAIL

Duwamish Shipyard, Inc.
5658 W. Marginal Way SW
Seattle, WA 98106

Gentlemen:

Enclosed is Order, Docket No. DE 81-556. All correspondence relating to this docket should be directed to the enforcement officer. If you have any questions concerning the content of the docket, please call M. M. Dawda, Redmond, telephone 885-1900.

A form entitled "Acknowledgment of Service" is also enclosed. Please sign the original of this form and return it to this office.

This order is issued under the provisions of RCW 90.48.120. Any person feeling aggrieved by this order may obtain review thereof by application, within 30 days of receipt of this order, to the Environmental Hearings Office, 4224 Sixth Avenue SE, Building No. 2, Rowesix, Mail Stop PY-21, Lacey, WA 98504, with a copy to the Director, Department of Ecology, Mail Stop PV-11, Olympia, Washington 98504, pursuant to the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Very truly yours,

Gail Keyes
Assistant Enforcement Officer

GK:vb

Enclosures

DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY)
DUWAMISH SHIPYARD, INC.)
FOR TEMPORARY MODIFICATION OF)
WATER QUALITY CRITERIA)

ORDER
Docket No. DE 81-556

To: Duwamish Shipyard, Inc.
5658 W. Marginal Way SW
Seattle, WA 98106

On August 13, 1981, Duwamish Shipyard, Inc. submitted a request for temporary modification of water quality criteria of the Duwamish River during the period September 15 through December 15, 1981 for the purpose of clamshell dredging with disposal of the dredge spoils at Four Mile Rock Site in Elliott Bay.

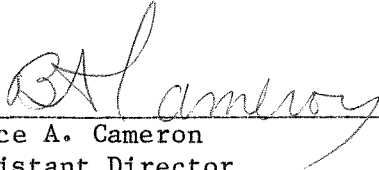
In view of the foregoing and in accordance with RCW 90.48.120(2):

IT IS ORDERED that the water quality criteria specified in WAC 173-201-045 (3)(c)(vi)(turbidity) is hereby modified for a limited period beginning September 15, 1981 and terminating at midnight, December 15, 1981.

Duwamish Shipyard, Inc. shall comply with the attached Water Quality Guidelines for Dredging in the Duwamish River.

The department retains continuing jurisdiction to make modifications hereto through supplemental order, if it appears necessary to further protect the public interest during the modification period.

DATED at Olympia, Washington SEP 14 1981



Bruce A. Cameron
Assistant Director
Department of Ecology
State of Washington

DEPARTMENT OF ECOLOGY
WATER QUALITY GUIDELINES FOR DREDGING IN DUWAMISH RIVER

DUWAMISH SHIPYARDS, INC.

CORPS PERMIT NOS.: 071-OYB-2-007140 and 071-OYB-2-007261

These guidelines are issued under the authority of WAC 173-201-100(2) and are intended to provide protection to the quality of public waters of the state. It must be recognized that interrelated and unrelated concerns will be addressed through other processes, such as the Shorelines Management Act, and that these guidelines must remain flexible in order to coordinate these concerns. They will generally be implemented through the certification process for Corps of Engineers' Section 10 and 404 permits and the coordination process for Corps of Engineers' projects. These guidelines may be reviewed and revised as appropriate.

All contacts regarding these guidelines should be directed to:

Department of Ecology
Northwest Regional Office
4350 - 150th Avenue N.E.
Redmond, Washington 98052

All dredging projects conducted in Duwamish River at the locations shown in the referenced Corps Permits shall conform to the following guidelines unless approved otherwise by the Washington State Department of Ecology (WDOE).

Except where the department has specifically determined in a particular case that significant adverse environmental effects would result, the standards contained in WAC 173-201-045(3)(c) are waived in accordance with WAC 173-201-100(2) for dredging performed in accordance with these guidelines and a valid water quality certification and Section 10 and 404 permits in Duwamish River at locations shown in the referenced Corps Permits.

As referred to herein, "dredger" means the entity responsible for the dredging project, normally the contracting agency or company.

I. Project Description

- a) The proposed project consists of clamshell dredging of approximately 12,000 cubic yards of sediments in Duwamish River with disposal at Four Mile Rock site in Elliott Bay, and construction of wharf addition. The project will be conducted between September 15, 1981 and December 15, 1981. (Corps Permit No. 071-OYB-2-007140)
- b) The proposed project consists of clamshell dredging approximately 25,000 cubic yards of sediments in Duwamish River with disposal at Four Mile Rock site in Elliott Bay, construction of wharf, and installation of dolphins. The project will be conducted between September 15, 1981 and December 15, 1981. (Corps Permit No. 071-OYB-2-007261)

II. Water Quality Criteria

- a) The concentrations of various parameters inside and outside the dilution zones shall be maintained at levels shown in the following table:*

<u>Parameter</u>	<u>Inside Dilution Zone</u>	<u>Outside Dilution Zone**</u> (Maximum)
Cadmium	---	Less than 59 ug/l
Chromium(Hexavalent)	---	Less than 1.26 mg/l
Copper	---	Less than 23 ug/l
Lead	---	Less than 25 ug/l
Mercury	---	Less than 3.7 ug/l
Zinc	---	Less than 170 ug/l
PCBs	---	Less than 0.03 ug/l
Dissolved Oxygen***	Greater than 5.0 mg/l	No measurable decrease from natural conditions
Turbidity	---	Not to exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or not to have more than a 20% increase in turbidity when the background is more than 50 NTU.

*These criteria are designed to allow for dredging activities. However, the dredging operations shall be conducted in such a manner as: (1) not to cause acute mortalities of sport, food, or commercial fish and shellfish species of established biological communities within populations or important species to a degree which damages the ecosystem; (2) not to diminish aesthetic values or other beneficial uses disproportionately.

**The quality of water outside the dilution zone shall be maintained at the existing water quality or shall satisfy established water quality standards, whichever requirement is higher.

***Dissolved oxygen measurements shall be by Winkler method.

- b) Dilution zones surrounding an operating dredge are defined as follows:

The length of the dilution zone shall extend laterally from the point of dredge operation, 300 feet in the direction of the tide and 150 feet in the opposite direction. The width of the dilution zone shall extend from the point of dredge operation, 50 feet each way along the width of the river.

- c) If the dilution zone defined above is determined to conflict with any other water uses or aquatic resources, it may be modified by WDOE in particular instances.
- d) Toxic conditions resulting in distressed or dying fish are not allowed. If these conditions exist, dredging shall cease immediately and WDOE shall be notified immediately. The dredger shall also collect fish specimens and water samples in the affected area and make their best efforts to obtain dissolved oxygen, turbidity and pH measurements as soon as possible.
- e) Other criteria may be included in specific cases if necessary to protect aquatic resources and other water uses.

III. Operational Controls

The following are operational controls to be used as necessary and appropriate to reduce or minimize dredging impacts:

- a) Control of dredging rate - dredging rate shall not reach a level that results in noncompliance with the water quality criteria.
- b) During dredging operations, dredged material shall be deposited after each pass of the bucket, i.e., material is not to be accumulated in the bucket on successive passes.
- c) If, after the immediate application of other controls listed above, water quality criteria are not met, WDOE shall be notified immediately.

IV. Oil Spill Prevention and Control

- a) Discharges of oil from equipment or facilities into public waters or onto adjacent land are not permitted.
- b) Visible floating oils released from sediments by dredge shall be contained and removed from water where possible.
- c) All land-based oil storage tanks shall be diked or located as to prevent oil spills from escaping to the water. Diking and subsoils shall be sufficiently impervious to prevent oil from seeping through the ground.
- d) Fuel hose, oil drums, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent discharges. Proper security shall be maintained to discourage vandalism.

- e) In the event of any oil discharges into public waters, or onto land with a potential for entry into public waters, WDOE and the U.S. Coast Guard shall be notified immediately.

V. Water Quality Monitoring and Reporting

- a) Representative samples shall be taken and analyzed once a week during dredging operations for each project.
- b) Monitoring results shall be submitted to WDOE monthly, or more frequently if requested.
- c) Visual observations at the dredging site in the vicinity of the dredge for distressed or dead fish or any other unusual conditions shall be made as often as possible but not less than twice daily.
- d) More rigorous sampling program for any or all of the parameters may be required by the department, if the concentrations are found unsatisfactory at the dilution zone boundaries.
- e) Samples shall be collected from at least two locations inside* the dilution zone and two locations at the boundary of the dilution zone surrounding an operating dredge, in areas and depths affected by the dredge plume. Two additional samples in the vicinity of the dredge but in unaffected water (outside the dilution zone) are to be taken. Samples are to be taken at times when water quality is most severely affected by the dredge operations.
- f) At the least, the samples shall be analyzed for dissolved oxygen**, pH, turbidity, lead and PCBs.

*Samples inside the dilution zone shall be taken approximately midway between the dredge and the dilution zone boundary.

**Dissolved oxygen measurements shall be by Winkler Method.

VI. Notification

- a) The dredger shall notify WDOE at least 7 days prior to dredging of the proposed schedule. Prior notification shall be given of any significant schedule changes.
- b) If any poorer water quality conditions than those contained in these guidelines is found, WDOE shall be notified immediately. If distressed or dead fish are noticed in the vicinity of the dredge, dredging shall cease immediately and WDOE shall be notified immediately.